

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

RUSSELL CAMPBELL,

PLAINTIFF

V.

NO. 1:07CV059-M-D

CORINTH POLICE DEPARTMENT, et al.,

DEFENDANTS

**ORDER OVERRULING OBJECTIONS and ADOPTING
REPORT AND RECOMMENDATION**

The Plaintiff, an inmate, brings this *pro se* complaint pursuant to 42 U.S.C. § 1983. Plaintiff complains about denial of adequate medical treatment regarding a compromised tooth and associated pain. Plaintiff was afforded the opportunity to clarify and specifically state his claims at a *Spears* hearing. Following the *Spears* hearing, the Magistrate Judge filed a Report and Recommendation on February 20, 2008, recommending dismissal of two Defendants. Over Plaintiff's objections, the Recommendation was adopted as opinion of the court on March 4, 2008.

The remaining Defendants filed a motion for summary judgment. Again, the Magistrate Judge recommended that Plaintiff's claims be dismissed citing the absence of a disputed material fact. Plaintiff filed his objections. The court finds that Plaintiff has not and cannot overcome the proof presented in this matter. Accordingly, Plaintiff's objections are overruled. The court approves and adopts the Report and Recommendation as its opinion.

THEREFORE, it is hereby ORDERED that

(1) the Plaintiff's objections to the Report and Recommendation of the United States Magistrate Judge are OVERRULED;

(2) the Report and Recommendation is APPROVED and ADOPTED as the opinion of this court;

(3) Defendants' motion for summary judgment (docket entry 40) is GRANTED;

(4) Plaintiff's claims are DISMISSED with prejudice; and

(5) this matter is CLOSED.

SO ORDERED, this the 20th day of October, 2008.

/s/ MICHAEL P. MILLS
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI